

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT
NO. 15-4700 (L) and NO. 15-4802

UNITED STATES OF AMERICA,)
)
Plaintiff-Appellee)
v.)
)
SAMUEL WAYNE HILL, a/k/a Sam Hill)
)
Defendant-Appellant) MOTION TO EXTEND
) BRIEFING SCHEDULE
)
and)
)
SAMANTHA LEIGH ROSS-VARNER,)
)
Defendant-Appellant)

NOW COME Defendants, Samuel Wayne Hill and Samantha Leigh Ross-Varner by and through the undersigned counsel for the defendant Ross-Varner, and hereby moves the Court to extend the time for filing Appellants' Brief and Joint Appendix in this case by thirty days.

In support of this motion, the defendants respectfully show unto the Court the following:

1. These are cases in which the Defendant Samuel Wayne Hill was sentenced in District Court to a 480 month term of imprisonment for conspiracy to manufacture, distribute, dispense and possess with the intent to distribute a mixture of a substance containing a detectable amount of methamphetamine, and

Defendant Samantha Leigh Ross-Varner was sentenced in the District Court to a 180 month term of imprisonment for conviction for conspiracy to manufacture, distribute, dispense and possess with the intent to distribute a quantity of a mixture and substance containing a detectable amount of methamphetamine and 120 months concurrent for conviction of being a felon in possession of a firearm.

Undersigned counsel was appointed on January 21, 2016.

2. These cases were consolidated by the Court's order of December 29, 2015.

3. Since appointment Counsel has been in the process of reviewing the record to prepare the Appellants' Brief and Joint Appendix. Counsel for the two Defendants have conferred about the Joint Appendix and have begun preparations of the brief. It appears that each Defendant will have issues that do not overlap for inclusion in the Brief.

2. The Joint Appendix and Appellants' Brief are now due May 9, 2016 according to the current Briefing Schedule entered on April 4, 2016.

3. In reviewing the record and preparing the Joint Appendix, counsel has found that certain sealed documents are necessary for inclusion in the Joint Appendix. Counsel for Defendant Ross-Varner has requested these documents for inclusion in the Joint Appendix and has not yet received all of the requested documents.

4. As a consequence it is impracticable to complete preparation of the Joint Appendix and complete evaluation of the appeal issues for the Brief by the current deadline of May 9, 2016. An extension of thirty days should permit counsel to receive the sealed documents and prepare the Appendix and Brief for filing.

5. Counsel for Defendants has contacted the Assistant U.S. Attorney Brenda Shepard for the Eastern District of North Carolina who has advised that the Government has no objections to the Motion to Extend the Briefing Schedule.

WHEREFORE, the defendant respectfully requests the Court to enter an order extending the briefing schedule by thirty days to and including the 6th day of June, 2016.

This the 27th day of April, 2016.

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I hereby certify that on April 28, 2016 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the United States Attorney.

Respectfully submitted,

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